Desilva Shee Account of Anthony	THE REAL PROPERTY.						6.5.5	of this Estate, as per Account closed to 29th Sentember 1856.
	hony	2 Oct. and Nov. 1856	24	24200		12000	0 0	Ditto ditto to A. DeSilva, being his ditto of ditto as per ditto ditto to
Manuel	24 Aug. 1855	30 Sept. 1856	52	52800 0	:	0 0	0 0	Transferred to the Estate of Mary DeSilva, as per Account closed to 29th
一一	8 Dec. 1845	8 Nov. 1856	36	00098		2302 6 10	6 10	Ditto to the Estate of Domingo Manuel DeSilva, to the Estate of J. E. DeSilva, and to the Estate of M. DeSilva, Share Account of T. P.
Darin, Captain Charles Farqubar	1 June 1855	5 Sept. 1856	1 1	0 2100	:	415 12	61	cia, for division amongst the mother,
Delmas, Bernard Como Damian	26 July 1855	7 Aug. 1856		0		5186	5	and brothers of the decembed in equal sinces. Paid to the Sub-Tressurer for remittance to the India House, for payment to Mr. Mardon Astorner for TP Dilman and all formers and the Townson and the Tressurer for the Dilman and the Tressurer for th
Dyes, David Ochterlany, alica Dyce Sombrs	2 Sept. 1851	10 Dec. 1856	57	57800 489700	:	1888	9	constituted Attorney of the other parties entitled under the Will of the deceased, being the balance of Account closed to 27th June 1856. Ditto and delivered to Messrs, Sandes and Watts, being in full of the balance of this Estate, as per Account closed to 28th November 1856.
E. Bouza, Antonio Delitera	19 Dec. 1855	4 Aug. 1856	:	0 2500	:	828 15	15 0	Ditto ditto to M. S. Fernandes and J. T. Fernandes, by their Attorneys, Messrs, Judge, Judge and Watkins, being in full of her wae-fifth share of
Riot, John	8 June 1856	9 Sept. 1856	16000	0 000	# # # # # # # # # # # # # # # # # # #	1778 15 11	15 11	the balance of this Estate, as per Account closed to 17th June 1858. Transferred to the Share Account of Mrs. Augusta Thackery and account for sundry Legatees, as per Account closed to 27th August 1856.
		80 Aug. 1856		0 2500	* * * * * * * * * * * * * * * * * * * *	F1 858	14 11	Paid and delivered to Judge, Judge and Watkins, Attorneys for Bray Fer- nander Brancher to the Estate of the deceased hashing been been the believe
Ferrando, Beverend Fray Juan	6 Aug. 1856	30 Aug. 1856		0 20100		401 13	8	in full of this Estate. Transferred to account of the representative of the Spanish Mission at Mayso the balance of Account closed on 20th August 1856.
tive of the Spann Mission at Macao	onta-	11 Sept. 1856		0 20100		879	13 3	Paid and delivered to Messrs. Gillanders, Arbuthnot and Co., being in full of the balance of this Estate payable to the Spanish Mission at Macao,
		28 Nov. 1858		0	:	998	6 9	as per Account closed to 6th September 1856. Ditto M. Ryan, Jane Ryan, and E. FitzGerald, by their Attorney, M. Ryan, the balance of the assets of this Estate.
orden designant curgeon Charles	3 Jan. 1855	80 Aug. and Nov. 1856	50	0 4000	4 4 7 8 9	1602	0 4	Transferred one-fourth share to the Share Account of Duncan George Forbes, and paid and delivered the remaining three-fourth shares to Wm. Welsh Borbes, George Feddar Forbes, and Margaret Forbes or French, in Figural

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The Co Sa. Rs. Co Sa. Rs. Co Schard Young The St.	Government Securities.	ink or other Cash.	Parties to whom paid.
Richard Young 14 Aug. 1854 Ditto Ditto O O Richard Young 14 Aug. 1854 Ditto O O Augustus 7 Feb. 1854 17 Nov. 1856 O O Augustus 7 Feb. 1855 6 Sept. 1856 O Christopher 24 July 1854 17 Sept. 1856 O O Taken charge 17 Sept. 1856 O O Taken charge O O O O O O O O O O	Co.'s Rs.	Scourities not be- ing Government Rg. Ag. P.	
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## Richard Young 14 Aug. 1854 Ditto 0 ## Jan. 1854 17 Nov. 1856 0 ## Jan. 1854 20 Aug. 1856 0 ## Jan. 1855 6 Sept. 1856 0 ## Christopher 24 July 1854 17 Sept. 1856 0 ## Taken charge 1 Aug. 1853 31 Dec. 1856 0 ## Jan. 1854 31 Dec. 1856 0			to sen precedent todos
alliser 4 Jan. 1852 Ditto 0 ck Augustus 7 Feb. 1854 20 Aug. 1856 0 a. Christopher 24 July 1854 17 Sept. 1856 0 Taken charge 1 Aug. 1853 30 Sept. 1856 0 Taken charge 31 Dec. 1856 0		3 3 2	Paid on account of charges for preparing the Half-yearly Schedule up to 30th
ck Augustus 7 Feb. 1854 20 Aug. 1856 2000 a Christopher 24 July 1854 17 Sept. 1856 0 Taken charge 30 Sept. 1856 0 Taken charge 31 Dec. 1856 0		179 0 7	Ditto ditto ditto. Paid and delivered to G. W. J. Hickman, being in full of his one-fourth
a. Christopher 24 July 1854 17 Sept. 1856 0 Taken charge 30 Sept. 1856 0 Taken charge 31 Dec. 1856 0	:	767 0 0	Ditto ditto to Sandes and Watts, for payment and delivery to the East India Commany
a Christopher 24 July 1854 17 Sept. 1856 0 1 Aug. 1853 30 Sept. 1856 0 7 Taken charge 31 Dec. 1856 0	:	2863 8 6	Ditto to the Sub-Treasurer for remittance to the India House, for payment
1 Ang. 1853 30 Sept. 1856 Taken charge 26 April 1854 31 Dec. 1856	1	420 9 8	to 2nd September 1856. Remitted to Captain H. S. Lloyd, Rangoon, being the balance in full of the sense of this French and the South July 1856.
Taken charge 7.31 Dec. 1856		00	Pail to the Sut. Treasurer for remittance to the India House for navment
. T. 1. 185€ 31 Dec. 1856 N. N.		0	to Rev. W. Miller, being the balance at credit of the deceased's Account closed to 15th September 1856.
	1	80	Ditto on account of charges for proparing the Half-yearly Schedule up to 30th
Nicholetts, Brevet Major William Hamilton 7 March 1855 . Ditto 0		2 0 0	Ditto ditto ditto.
Oldfield, Christopher-Share Account of Henry 2 July 1856 22 Nov. 1856 0 4570		849 4 3	Paid and delivered to Benry S. Oldfield, by his Attorney, John Bullen, being in full of the balance of his share of this Estate, as per Account closed

				PA	PATMENTS.		
EST (TES.	Date of Administration.	Date of Payment.	Government Securities.		Bark or other.	Cash.	Parties to whom paid.
			In Sa. Re. C	Co.'s Rs.	foruritles not having Convergue in	Rs. As. P.	
Thompson, James	80 Aug. 1831	31 Dec. 1856	ď	0		8 9 11	Paid on account of charges for preparing the Half-yearly Schedule up to
Thomson, Mrs. Blirab in Helen	4 July 1856	10 Dec. 1856	0	1000		508 6 0	30th June 1856, and auditing and advertising the same. Ditto and delivered to James T. Thomson, in full of his one-fourth share of the halones of this Pareton and Account placed to 3rd December 1856.
Rollemache, Licutenan Albart	18 April 1855	5 Dec. 1856	0	0	8 6 4 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	1424 18 1	and the remaining shares are retained. Dicto to the Sub-Treasurer for remittance to the India House, for payment to the mother hardness and five sisters of the decensed in country.
Preatyman, Heary Physics	Taken charge	81 Dec. 1856	0	۰		2 14 9	tions, being the balance of Account closed to 13th November 1856. Ditto on account of charges for preparing the Half-yearly Schodule up to 30th June 1856, and auditing and advertising the same.
Vandenberg, Miss Ro	u G	11 Nov. 6 1 Dec.					
	NEW YORK	1856	0	1000		484 5 1	Dittornd delivered to Louisa Arabella Cocke, per Edward Cocke, and Mrs. and Mrs. A. F. Catania, their respective bhaves of the balance of this Es-
Walker, Felix Quarr	5 June 1855 6 Sept. 1856	6 Sept. 1956	0	0		10875 6 1	Ditto to the Sub-Treasurer for remittance to the India House, for payment to Mr. Beer Beer of the de-
Watts, Mrs. North	25 June 1855	15 Sept. 1856	0	200		0 0 0	Censed, being the balance of Account closed to 22nd August 1856. Transferred to the Share Account of the three Children, as per Statement
Wilson, Peter	{ Z2 Aug. 1855	31 Dec. 1856	0	0		61 ©	Paid on account of charges for preparing the Half-yearly Schedule up to 30th June 1856, and auditing and advertising the same.
Seebol Chunder Cho.	{ 12 June 1856	25 Sept. 1856	0	0.19		0 0	Delivered to Mudden Mohan Takal, in full of the balance of this Estate payable to him as Administrator, in terms of his lightness dated 25th September 1856
	N.						

Calenda, 31 Danember 1856.

C. S. HOGG, Administrator Gesteral.

(Ditto ditto to Robert Broughton Smark the balance of further assets in my hands, payable to him in right of his wife, Sophia Smart, late Orton, as per	Transferred to the Estate of R. O. Ouseley, and paid to David Wood and David Ouseley, and paid to the Sub-Treasurer for remittance to the India House, for payment to Miss Ouseley, being their respective shares of the balance of this Estate, as per Account closed to 26th April 1856.	Paid on account of charges for preparing the Half-yearly Schodule up to 20th June 1856, and auditing and advertising the same.	Ditto to T. C. Sandes, Solicitor to the East India Company, the balance of this Estate, payable to the East India Company by eschent for want of heir.	Ditto and delivered to Anna Maria King, Widow and Administratrix to the Estate of the deceased, being the balance in full of this Estate remain-	ing in my bands. Ditto to Robert Robertson two-thirds of the balance of this Estate, payable to him in terms of his Release, dated 16th May 1856.	Ditto on account of guarges for preparing the Mail-yearly Schedule up to . 30th June 1856, and auditing and advertising the same.	Ditto ditto ditto. Delivered as Messrs. Colvin, Ainsile, Cowie and Co., being in full of the halance of this Faters as new Account closed to 3 lst October 1856	Transferred to the Estate of Lieut, S. W. Stokes' Legacy Account to Heary William Stewark (Furneaux) Stokes, as per Account closed to 28th August 1856	Remitted to H. D. Tapsell, being his one moiety of the remaining two-thirds of the balance of this Estate, as per Statement dated 11th July 1856.		E	Diffect of Mrs. R. C. Bennett her one-third share of the balance of further assets and two-third shares of her children, Miss Flora Sophia Phones, and W. C. Thomas, as per Statement annexed in the letter of 8rd July 1856.
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3 March 1840 23 July 1856	in 8 April 1850	18 Nov. 1851	27 June 1849	8 Jan. 1850		6 Aug. 1849	17 March 1846 8 July 1856	5 June 1866	5 July 1842	Taken charge		19 July 1862
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SCHEDULE of all Sums of Money, Bonds, and other Securities received by the Administrator General, on account of each Estate remaining under his charge, together with the Payments made thereout and the Balances. Prepared up to the 31st December 1856, under Section XXXIV. of Act VIII. of 1855.

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Calcutta, 31st December 1856.

SCHEDULE of Balances in the hands of the Administrator General on the 31st December 1858, set apart to meet the admitted claims of Creditors, against the under-mentioned Estatos.

1	Balance on 31st Dec. 1856.	299 10 99 10
	Date of 3 Administration, 3	24 Jan. 1854. 24 Jan. 1854. 2 Sept. 1847. 4 Feb. 1846. 12 June 1849. 12 June 1841. 8 Jan. 1841. 13 Nov. 1848. 14 April 1853. 27 Aug. 1848. 15 Nay 1853. 27 Aug. 1848. 18 June 1841. 18 Sept. 1851. Taken charge 17 April 1851. Taken charge 18 Sept. 1851. 29 May 1849. 29 May 1849. 29 May 1849. 21 Oct. 1851. 22 April 1855. 23 April 1856. 24 Sept. 1851. 25 May 1849. 25 April 1856. 25 April 1856. 27 April 1856. 28 June 1855. 28 Dec. 1854. 29 Dec. 1854. 22 Oct. 1851. 23 Oct. 1851. 24 April 1855. 25 April 1855. 25 April 1856.
1	ESTATES.	Chisholm, John Saton Christic, Captain Charles Robert H. Chark, David Clark, Henry Charles, Henry Cock, Henry Colliard, Thomas Spencer, (Senior) Cock, Henry Corley, Major Coustantine William Cox, Cuptain George Hamilton Cox, Cuptain George Alfred Crow, Michael Crow, Michae
	Ralance on 31st Dec. 1556.	28 11 29 28 11 29 28 11 29 29 11 29 29 11 29 29 11 29 29 11 29 29 29 29 29 29 29 29 29 29 29 29 29
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	ESTATES.	Bell, Lieut. and Brevet Captain Thomas. Rellew, Brevet Major Henry Walter, of 56th N. Bennett, Lieutenant William Henry Bennett, Lieutenant William Henry Blackall, Thos. (Deputy Collector) Blackwood, Assistant Surgeon James Boys. Captain Charles Henry Roundlen, Lieutenant John Brown, Dr. Alexander Boys, Captain John Bruce, John Georga William Campbell, Alexander Eneas, flate Lieutenant and Deputy Superintendent of Police) Campbell, Alexander Eneas, flate Lieutenant and Deputy Superintendent of Police) Campbell, Captain Walter Campbell, Lieutenant James Cathoart, Lieutenant James Chatelier, Sub-Assistant Surveyor Joseph
Ī	Balance on 31st Dec. 1856.	106 98 98 98 98 98 98 98 98 98 98 98 98 98
	Date of Ba Administration. 3	1 May 1848. 7 Any. 1843. 15 Any. 1843. 15 Any. 1843. 15 Sept. 1843. 15 Sept. 1843. 17 Any. 1843. 17 Any. 1843. 18 Feb. 1853. 17 Any. 1843. 18 Any. 1853. 19 Any. 1853. 11 Any. 1853. 11 Any. 1853. 11 Any. 1853. 12 Any. 1853. 13 Any. 1853. 14 Dec. 1849. 15 Any. 1853. 16 Any. 1853. 17 Oct. 1843. 17 Oct. 1843. 17 Oct. 1843. 17 Oct. 1844. 184
	ESTATES.	Aikman, Lieutenant C. B. Alcock, Lieutenant Walter Alexander, Ensign Gastavus William Allan, Robert Wilson Allan, Robert Wilson Allardyce, Lieutenant James George Anderson, Charles Anderson, Charles Anderson, Charles Anderson, Lieutenant Fredwick Auster, Captain George Powell Bascon, Overseer Serjeant Thomas Barchard, H. J. Balland, William James Balland, William James Balland, Captain Augustine (Mariner) Balland, William James Balland, William James Balland, William James Balland, William James Balland, Milliam Glaries James Beavan, Robert Bebee, Hosecinee

Discon. Captain Thomas Discon. Captain Thomas Dowscon, Captain Thomas Dowscon, Captain Thomas Dowscon, Captain Haiph, of the N. I. 712 June 1851. Dowscon, Captain Haiph, of the N. I. 712 June 1851. Eccles, Lieutenant James William Eccles, Lieutenant James William Eccles, Lieutenant George of 2nd E. 8 Juken charge Elliot. Lieutenant George Donnithorne 22 June 1845. Elliot. Lieutenant George Donnithorne 22 June 1845. Elliot. Lieutenant Frederick James 22 June 1845. Ellicot. Lieutenant Frederick James 22 July 1851. Farnell, Ensign W. A. P. 7 July 1851. Farnell, Ensign W. A. P. 7 July 1851. Farnell, Ensign W. A. P. 7 July 1851. Farnell, Lieutenant Stanus Charles 3 July 1851. Franks, Bazar Serjeant George 7 July 1855. Franks, Bazar Serjeant George 7 July 1855. Franks, Bazar Serjeant George 7 July 1854. Franks, Bazar Serjeant George 7 July 1854.	nation. 1851 1847 1853 1853 1853 1853 1853 1853 1853 1853 1853 1854 1854 1854 1854
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, Ensign George, of 14th N. I.	<u>-</u> 1	101	-	
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Gother, Lieutenant William	12 Oct.	100	-	
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Graham, Robert Brown	23 July	100		9
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Hicks, Captain George William Scott Higher Contain Charles Edmund	20 April 1852	2002	7	
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MacErlane, Patrick Surgoon Alexander ... 2 July 1855... Metray, Lieut, Basil Homilton, of 43rd L. I. 23 Oct. 1849...

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Naylor, Major C. II.

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Lane, Charles

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28 Jan. 1856...

Johnston, George Jones, Key Serjeant James

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Hooper, Lieutenant William

Hore, Captain William, of 18th N. I. ... 23 Dec. 1846...

Horn, John
Howden, Dr. William Marcus, of 35th L. 125 Jan. 1847...

Howden, Dr. William Marcus, of 35th L. 125 Jan. 1847...

Howher, Charles
Humbert, Charles
Hunder, Lieutenant John
Hunter, Lieutenant John
Hunter, Lieutenant Benjamin Martin... 15 July 1850...

Hutchinson, Lieutenant Benjamin Martin... 15 July 1850...
Joseph Charles
Hutton, John Francis Erskine
... 12 Nov. 1860...

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Balance on 31st Dec. 1856.

Date of Administration.

ESTATES.

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Ouseley, Robert Ommany	{ 31 Oct. 1853,	412 11 4	Stokee, Lieutenant Samuel William Swinton, Cornet George Keith	5 June 1855	1168 14 10 32 12 0	Whelan, Lieutenant Edward	Taken charge	202 0 2
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Repton, Captain William Wheatley	(Teken charge	963 12 3	Tabor, Captain Samuel James, of 7th L. I.	8 Dec. 1849	918 2 10 13097 3 2	7		
Robinson, John	24 Jan. 1855	48 0 0	Tarabuli, H. J.	1 June 1855	79 11 6	Young, Dr. Robert	12 Dec. 1854	263 12 0

Administrator General.

C. S. HOGG,

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Calcutta, 31st Decomber 1856.

JOHN GRAY " CALCUTA GAZZITE" OFFICE.

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Calcutta Gazette. The

Bublished by Authority.

Actifications.

THE 14TH MAY 1868.— The Government of Bongal having entered on a Contract with Mestre. Samuel Smith and Co., for the execution of the Government Printing Work, from the 1st July nest, Public Officers employed under the Government are hereby directed not to employ any other Printing Establishment for the execution of the Consultant Work from and after that date.

Over 1. Bushow. ORCH. BRADON,

Secy, to the Gout, of Bengal.

THE UND FROMVARY 1856.—The Covernment of Bengul having entered into a Contract with Mears. Samuel Smith and Co., for the execution of the Government Printing Work, all Public Officers under the Covernment of India at the Presidency are hereby directed not to Employ any other Printing Establishment for the execution of Covernment Work.

CROIL BEADON, Sucy, to the Gant of Initia.

SATURDAY, MAY 16, 1857.

Legislatibe Council,

The 9th May 1857.

THE following Act, passed by the Legislative Council of India, received the assent of the Right Honorable the Governor Coneral on the 1st May 1857, and is hereby promulgated for general information :-

ACT No. VI of 1857.

An Act for the acquisition of land for public purposes.

WHEREAS it is expedient to make better pro-Proamble. | vision for the acquisition of land needed for public purposes within the territories in the possession and under the Government of the East India Company, and for the determination of the amount of compensation to be made for the same : It is enacted as follows :-

I. Sections I to VII inclusive, Regulation I. Laws repealed.

1824 of the Bengal Code; so much of Act XXVIII of 1839 as is in force; Act I of 1850; Act XVII of 1850; Act XLII of 1850; Act XX of 1852; and Act I of 1854—are hereby repeated, except so far as they repeal the whole or any part of any other Regulation or Act, and except as to suits or proceedings commenced, contracts made, acts done, and liabilities incurred before the passing of this

11. Whenever it appears to the local Govern-ment that any land is required hand may be taken by Covernment under the provinces of this Act after declaration to be taken by Government at the public expense for a public purpose, a declaration shall be made to that effect under the molethatitierequired for a public purpose. signature of a Secretary to the Government or of some Officer duly authorized to certify the orders of the Government, and such declaration shall be conclusive evidence that the purpose for which the land is needed is a public purpose; and after making such declaration, the Government may take any such land in the manner hereignster provided.

After declaration, Collector shall be di-rected to take order for acquisition of land as hereingter provid-

After declaration, ollector shall be dieted to take order trict or some other Officer spe-cially appointed in that behalf, to take order for the acquisi-

tion of the land in the manner hereinafter provid-

Collector shall cause to land to be marked but and messured, and a plan to be made of the same; and give notice to all persons interested in the land.

IV. The Collector or other Officer shall thereupon cause the land to be marked out and measured, and a plan to be made of the same. After the land has been so marked out and measured, he shall cause a notice to be affix-

upon the land, and published by proclamation in the neighbouring bazars and villages, to the effect that the land is about to be taken by Government for a public purpose; and shall also give notice to the same effect to the occupier (if any) of such land, and to all such persons known or believed to be interested therein or to be entitled by Section XXXVIII of this Act to act for persons so interested as shall reside or have agents within the Collectorate or other Revenue District in which the land is situate by serving such notice on such persons or their agents. Such notice shall contain a citation calling on all persons interested in the land to appear personally or by agent at a time and place therein mentioned, such time not being less than fifteen days after the date of publication of the notice, and to state the

nature of their interests in the land and the amount and particulars of their claims to compensation for the same.

Officer shall proceed to en-

quire summarily into the va-

lue of the land and the amount of compensation to

be awarded; and if he and all

suance of the notice agree as to

V. On the day fixed, the Collector or other

Collector to enquire into the value of the land, and the amount of compensation to be a-

the persons interested who have attended in pur-

Collector to make award which shall be conclusive.

the amount of compensation to be allowed, shall make an award for the same; and if the said personsagree also in the apportionment of the compensation, such apportionment shall be speci-fied in the award. The award shall be final and conclusive in regard to the value of the land and the amount of compensation for the same; and also in regard to the apportionment (if any) of the compensation among the persons who have agreed thereto. The Collector or other Officer may, if

no claimant shall attend pur-suant to the notice, or if he Postponement of enquiry. shall think fit for any other cause, postpone the enquiry to a day to be fixed by him and notified in the manner provided in the preceding Section.

If no claimant attends, or if Collector and persons interest-ed are anable to agree as to the amount of compensation, the dispute whall be re-ferred to arbitrators.

VI. When the Collector or other Officer proceeds to make the enquiry as aforesaid, whether on the day originally fixed for the enquiry or on the day to which the enquiry may have been post-poned, if no claimant shall attend, or if the said Collector or other Officer shall be unable to

agree with the persons interested who have attended in pursuance of the notice as to the amount of compensation to be allowed, the matter shall be referred to the determination of arbitrators to be appointed in the manner hereinafter provided.

Who shall be deemed to be interested in the land in cases of conflicting claims.

VIL If upon the said enquiry any question arise, respecting the title to the land or any rights or interests therein, between two or more persons making conflicting

claims in respect thereof, the person duemed by the Collector or other Officer to be in possession as owner, or in receipt of the rents as being entitled thereto, shall, for the purpose only of taking such measures as may be necessary for fixing the value of the land and the amount of compensation to be allowed for the same, be held as between such persons to be the person interested in the land.

VIII. When the Collector or other Officer has

After Collector's ward or reference to arbitration, passess-don may be taken alon may be taken and the land shall be vested absolutely in

made an award or directed a reference to arbitration, he may take immediate possession of the land which shall thence-forward be vested absolutely in the Government, free from all other estates, rights, titles, and

interests.

1X. If the Collector or other Officer is opposed

Magiatrate to ou-

or impeded in taking possession of such land, he shall apply to the Magistrate who shall enforce the surrender of the land.

X. Clause 1. Appointment of ar-

When any case is referred to arbitration, the Collector or other Officer, and the person interest-ed in the land, shall, unless they

concur in the appointment of a single arbitrator, each appoint one arbitrator; if there be several persons having a joint interest in the land, and they cannot agree in the appointment of an arbitrator, such disagreement shall be deemed a refusal to appoint within the meaning of the next following Section.

Clause 2. If there be several persons having distinct and separate interests in the land, and they cannot agree in the appointment of an arbitrator on their behalf, it shall be competent to the Collector or other Officer (subject to the orders of the Commissioner or other superior Revenue authority) to refer the question of the compensation to be allowed for each of such distinct and separate interests to a separate arbitration, or to select my one of the persons interested whose interest appears to him to qualify such person to represent the others; and the person so selected shall appoint an arbitrator on behalf of all the persons inter-

In every case the appointment shall be in writing, and neither of the parties to the arbitration shall have power to revoke the same without the consent of the other.

If no claimant at-

trade, or if no arbitrator is appointed by the params interested, the arbitrator appointed by the Collector shall proceed to arbitrate.

of Government.

XI. If no claimant shall have attended, or if the persons interested in the matter in dispute or authorized to act in that behalf, refuse or neglect for the period of tifteen days to appoint an arced to arbitrate.

Director or other Officer shall arbitrate the matter.

Provided that the person so appointed shall not be an Officer

XII. When more than one arbitrator shall be appointed, the arbitrators shall, Appointment of a before they enter upon the matter referred to them, nominate and appoint by writing a third person to act with them as arbitrator; and in case-the arbitrators shall negleot to appoint such third person for a period of one week after having been required to do so, the Collector or other Officer shall appoint a third arbitrator.

XIII. If any person, on being appointed an arbitrator, shall refuse to act, Arbitrator refusing or, after accepting the appointor becoming incorpa-ble to got, &c. ment, shall die or become in-capable of acting, another person shall be appointed in his stead, in the same man-ner in which the first person was appointed.

XIV. When the amount of compensation is re-

The arbitrators may by consent de-termine the propor-tions in which the persons interested are entitled to abure in the amount of compensation award-ed.

awarded.

ferred to arbitration, it shall be competent to the Collector or other Officer, with the written consent of all the persons interested, to require the arbitraturs to determine the proportions in which all such persons are entitled to share in the amount XV. When the Collector or other Officer and

Appointment of ar-Appointment of arbitrators by comment to apportion the compensation in cases where the amount thorse in a been settled by arbitration.

the persons interested in the land agree as to the amount of compensation, or when such amount shall have been settled by arbitration, if any dispute shall arise as to the apportionment of the same or any part thereof, it shall be competent

to the Collector or other Officer, with the written consent of all persons interested in the matter in dispute, to refer the same to arbitration. If the parties cannot agree with respect to the nominanation of the arbitrators, or if the persons nominated by them shall refuse to accept the arbitration, or, having accepted it, shall refuse to act, and the parties are desirous that the nomination shall be made by the Collector or other Officer, he shall appoint some proper person or persons to arbitrate the matter. The provisions of this Act relating to arbitrators appointed under Sections X and and to the proceedings of such arbitrators shall be applicable to persons appointed arbitrators under this Section.

XVI. After the arbitrators have accepted the

Collector to exercine certain powers for securing attendance of arbitrators and completion of award.

appointment, the Collector or other Officer shall be competent to exercise towards them such powers and authority for securing their attendance and the

due completion of their award, as the Collector may legally exercise towards witnesses summoned before him when acting judicially for the purpose of compelling them to attend and give evidence. XVII. If no award be made within a period to

within a specified per-riod, other arbitrators шау на сповец.

In default of award be fixed for that purpose by the Collector or other Officer, he may order that the matter shall be referred to a nother arbitra-

tor or other arbitrators to be chosen in the same manner and subject to the same rules as the first.

Collector to farnish information to the arbitrators, and to su-force the attendance and examination of examination of witnesses, &c.

XVIII. The Collector or other Officer shall furnish the arbitrators, or so far as may be in his power procure for them, any information which his records or those of afford connected with the sub-

ject of enquiry. He shall, on the application of the arbitrators, summon any witnesses whom the arbitrators may call for and whom the parties may not be able to produce before them without such process, and require the persons so summoned to bring and produce before them all such books, papers, deeds, writings, maps, and plans as they shall require. Persons so summoned shall be subject to all the provisions of the laws in force regarding persons summoned as witnesses before the Collector whom acting judicially.

Every witness examined before the XIX. arbitrators shall be examined upon cath or affirmation to be Witnesses to be examined upon onth, &c., before arbitrators. administered by or made before

the said arbitrators.

XX. On the close of the enquiry, the arbitrators or a majority of them Award of the arbishall deliver a full and cour-

matter referred to them, and shall therein specify (as the nature of the case may require) the amount and particulars of compensation awarded by them, the persons entitled to compensation, and the proportions in which they are so entitled.

XXI. The arbitrators on making their award Remuneration of shall be entitled to reasonable fees for their services, the amount of which shall be fixed by the Collector or other Officer subject to the orders of the Commissioner or other superior Revenue authority.

XXII. The award shall declare the costs of the arbitration and by whom and in what proportion they shall be paid. All costs, including the fees of the arbitrators, incurred for the purpose only of determining the amount of compensation to be allowed for the land, shall be charged to the Government, unless the arbitrators shall award as compensation the same or a less sum than shall have been offered by the Collector or other Officer, in which case each party shall bear his own costs so incurred and shall also pay a moiety of the fees of the arbitrators. Costs incurred for determining the apportionment of the compensation among the persons interested shall be paid by such persons in such proportions as the arbitrators shall direct.

The XXIII.

Proceedings of the arbitration to be de-posited in the Collector's office.

proceedings of the arbitration shall be deposited in the office of the Collector or other Officer; and every person interested therein shall be entitled to a

copy of the award on plain pa-per under the seal and signature of the Collector or other Officer, which copy shall be prima facie evidence thereof.

Compensation to include domage doma to adjoining land.

XXIV. When any land is taken under the provisions of this Act, the amount of compensation to be awarded shall include any damage which may be sustained

by any of the persons interested therein in respect of any adjoining land held therewith.

If compensation he awarded for damage the value of the land and the amount of damage to be specified sepa-pately. rately.

XXV. If any compensation beyond the value of the land be awarded on account of any damage which may be sustained by any person interested in the land, the award shall specify the value of the land and the amount of such damage separately, and

also the name of the person to whom compensation for damage is awarded.

XXVI. When any land taken under this Act

Proceeding where land paying revenue to Government is taken.

forms part of an estate paying revenue to Government, the award shall specify the net rent of the land including the Government Revonue, and the

computed value of such rent; and it shall be at the discretion of the Revenue authorities either to pay over the whole of such value to the owner of the estate on the condition of his continuing to pay the jumma thereof without abatement; or to determine what proportion of the net rent shall be allowed as a remission of revenue, in which case a deduction shall be made from the said value proportionate to the value of such remission.

XXVII. When the amount of compensation to be paid for land taken under Amount of com-punction when and how to be paid. the provisions of this Act is determined by the award of the Collector or other Officer

under Section V, he shall pay the amount awarded

at the time when possession is taken of the land on account of Government. When the compensation is determined by the award of arbitrators under Section XX, the Collector or other Officer shall pay the amount awarded with interest at the rate of six per centum per annum from the time when possession was taken of the land on account of Government.

Proviso.

Proviso.

Except, as provided in the next following Section, payment of the compensation shall be made, according to the award, to the persons named therein. Provided always that nothing in this Act contained shall affect the liability of any person who may receive the compensation awarded for any land or any portion of such compensation to pay the same to the person lawfully entitled thereto.

XXIX. If there exist any ground which, in the judgment of the Collector or other Officer, renders it improper to make immediate payment of the compensation, or

of any portion thereof, to any of the persons having or claiming any interest in the land or in the compensation awarded in respect thereof, the amount, or such portion of the amount as he may deem sufficient, shall be invested in Government

Amount to be held in deposit until an order of Court shall be obtained for the payment thereof. Such order shall be obtained in the Court which would have had jurisdiction in respect of the land taken.

XXX. If the land taken be within the local limits of any of Her Majesty's Supreme Courts of Judicature, Court may order and the amount of compensation.

Sation awarded do not exceed five hundred Rupees, the order may be made by the Court of Small Causes.

Reversal or alterntion of award.

Reversal or alterntion of award.

By the decision of a Civil Court on the ground of corruption or misconduct of the arbitrators. In case the award shall be so reversed, the matter shall be referred to another arbitrator or other arbitrators to be appointed in the same manner as the first. All suits to set aside an award under this Act shall be instituted within three months from the date of the award.

XXXII. The provisions of this Act shall not be put in force for the purpose of building not to be taken.

A part of a house of acquiring a part only of any house or other building or manufactory, if the owner desire that the whole of such house, building, or manufactory shall be taken.

When land is needed for when land is needed for when land is needed a road, canal, railway, or the like, and the local Government makes the declaration provided in Section II, it shall not be necessary to specify the extent, limits, or position of the land, but it shall be sufficient to declare the general direction of the line of the work and the average breadth of the land required for the same.

XXXIV. When any declaration has made under the provisions of Section II of this Act, the Col-After decinration, persons authorized may enter upon the land and make a lector or other Officer may authorize any person, with his servants and workmen, to enter survoy. upon the land for the purpose of making a survey thereof; and in the case of a road, canal, or railway to set out the intended line thereof, and to mark

Line of read may
be marked out.

Such line by cutting a trench
or placing land-marks; and
where otherwise the survey cannot be completed, and the line marked, to cut down and clear away any part of any jungle or Land may be cleared. of the intended line. Provided that no person shall enter into any house or building or upon the curtilage Previous notice of of any house or any enclosed garden (unless with the con-sent of the occupier thereof) entry to be given to occupiors of houses,&c. without previously giving the said occupier twenty-four hours' notice of his intention to do so. XXXV. It shall be the duty of the Collector or other Officer to take account Account of damage of all necessary damage done ment to be offered. as aforesaid, and forthwith to offer payment for the same to the persons interested. In case the offer is not accepted, the damage shall be allowed for in the

compensation to be awarded.

XXXVI. Whoever wilfully obstructs any person in lawfully setting out the son in lawfully setting out the line of any road, canal, or railway, or wilfully destroys, damages, or displaces any landmark, or effaces or fills any trench intended to mark such line, shall, on conviction, be hable to be imprisoned for any term not exceeding six months, or to fine not exceeding two hundred Rupees, or to both.

Temperary occupation of adjacent land.

Temperary occupation of adjacent land.

Temperary occupation of any land not more than one hundred yards from the centre line of the road, canal, or railway, as marked on the ground, for taking earth or other materials for making or repairing the road, canal, or railway, or for depositing thereon superfluous earth or other materials, or erecting temperary buildings and workshops thereon, and of any land which may be needed for making temperary roads, from any public road to the intended line of railway; and for the temporary occupation

Compensation for temporary occupation.

of all clay, stone, gravel, sand, and other materials taken thence, compensation shall be paid to and among all persons having an interest therein, to be ascertained, in case of disagreement, in the same manner as compensation for land permanently taken.

XXXVIII. In any proceedings under this Act
the following persons shall be
tees of lunatice, &co.
ampowered to act.

Trustees or trustees for other persons beneficially

interested shall in all cases be deemed the person or persons entitled to act with reference to any such proceedings, and that to the same extent as the persons beneficially interested could have acted if free from disability. A married woman, in cases to which the English law is applicable, shall be deemed the person so entitled to act, and, whether of full age or not, to the same extent as if she were unmarried and of full age. The guardians of minors and the Committees of lunatics or idiots shall be deemed respectively the persons so entitled to act to the same extent as the minors, lunatics, or idiots themselves, if free from disability, could have acted.

XXXIX. The following words and expressions in this Act shall have the several meanings hereby assigned to them, unless there be something either in the subject or context repugnant to such construction (that is to say)—

The words "the local Government" shall mean the person or persons for the time being immediately administering the Executive Government of that portion of the territories in the possession and under the Government of the East India Company in which the land in question is situate; and shall include any Chief Commissioner or other Chief Civil Officer of a Province whom the Governor General in Council may authorize to exercise the powers vested by this Act in the local Government.

The word "land" shall extend to tenements and hereditaments of any tenure, and all houses, buildings, trees, or appurtenances thereupon, as well as land.

The expression "person interested in the land" shall include all persons interested in the land either for life or for years, or in remainder, reversion, or succession, and all mortgagees, leaseholders, or tenants, not being tenants by the month or at will, of such land.

Words importing the singular number only shall include the plural, and words importing the plural number only shall include the singular.

Words importing the masculine gender only shall include females.

The word "person" shall include a corporation.

W. MORGAN,

Clerk of the Council.

Argislatibe Council.

The 9th May 1857.

THE following Act, passed by the Legislative Council of India, received the assent of the Right Honorable the Governor General on the 1st May 1857, and is hereby promulgated for general information:—

ACT No. VII. of 1857.

An Act for the more extensive employment of Uncovenanted Agency in the Revenue and Judicial Departments in the Presidency of Fort Saint George.

Whereas the exigencies of the Public Service require the more extended employment of Uncovenanted Of-

ficers in the Revenue and Judicial Departments in the Presidency of Fort Saint George; It is hereby enacted as follows:—

I. The Governor of Fort Saint George in

Governor in Council may appoint, in any
collectors and Deputy Collectors and Deputy Magistrates.

With the powers hereinafter mentioned.

Oath or declaration or or Deputy Magistrate under this Act shall, before entering upon the duties of his Office, make and subscribe an oath or declaration in writing to the same effect as the oath prescribed by law for Assistant Collectors and Assistant Magistrates respectively.

Duties and powers of a Deputy Collector.

Act may, within the District to which he is appointed, perform such of the duties and exercise such of the powers of a Covenanted Assistant Collector as shall be assigned to him from time to time by the Collector of such District; and shall be subject to the same control in all respects as a Covenanted Assistant Collector is subject to.

IV. A Deputy Magistrate appointed under this Duties and powers Act may, within the District of a Deputy Magistrate to which he is appointed, pertrate.

form such of the duties and exercise such of the powers of a Covenanted Assistant Magistrate as shall be assigned to him from time to time by the Magistrate of such District; and the decisions and orders of such Deputy Magistrate shall be subject to the same rules, as respects appeals, as are or may be provided in the case of the orders and decisions of Covenanted Assistant Magistrates.

Nothing in the Act to disqualify any Uncovenanted to disqualify one of the four from holding both offices.

Officer appointed under this Act from holding at the same time the offices of Deputy Collector and Deputy

Magistrate.

Rules regarding dismissed of beputy Collector or Deputy Magistrate appointed under this Act shall not be dismissed from Office without the sanction of the Governor in Council Whenever there may be reason to believe that a Deputy Collector or Deputy Magistrate is disqualified by neglect, incapacity, or corruption for continuance in Office, a report shall be submitted by the Collector or Magistrate through the proper channel for the consideration and orders of the Governor in Council, who shall be competent to suspend such Deputy Collector or Deputy Magistrate and order a further enquiry into his conduct, or to direct his immediate dismissal, as may appear just and proper.

W. MORGAN, Clerk of the Council

Argistatibe Council.

The 9th May 1857.

THE following Bill was read a second time in the Legislative Council on the 2nd May 1857, and was referred to a Select Committee, who are to report thereon after the 13th of August next :--

A Bill to make lawful compulsory labor for the prevention of mischief by inundation, and to provide for the enforcement of customary labor to certain works of irrigation in the Presidency of Fort Saint George.

WHEREAS the safety of person and property is inundations endangered by caused by sudden breaches of the embankments of tanks, rivers, and canals, and of anicuts and other like works, and it is necessary for the common good to make it obligatory on persons of the laboring classes, when duly called upon, to unite their labor to prevent such breaches, or to repair them instantly; and whereas it is expedient to make legal provision for the enforcement of the duty which by local custom is incumbent on village communities to furnish the labor required for the execution of certain works for the purpose of irrigation and drainage; It is enacted as follows:-

Whenever it shall appear to the Officer in

Laborers may be called upon to assist in preventing or re-pairing breaches in the embankments of tanks, charge of any tunk, river, or canal, or of any anicut or other like work, that there is imminent danger of the embankment of such tank, river, or canal being breached, or of a

breach being made in such anicut or other work, and of a destructive inundation being caused there by which may be prevented by a large body of laborers immediately working together to strengthen the embaukment or other work; or when such a breach has occurred, if it shall appear to such Officer that it can be repaired and the inundation caused by it be stopped by the immediate employment of a large body of laborers for that purpose—
it shall be lawful for such Officer to require the
head or heads of the village or villages in the
vicinity to call upon all able-bodied male persons
of the laborary places in much willage or villages. of the laboring classes in such village or villages to co-operate in the work necessary for preventing or repairing the breach as the case may be. In the absence of the said Officer it shall be lawful for the Tehsildar of the talook to make such requisition in his stead. And if neither the said Officer nor the Tehsildar is on the spot, and the emergency is great and urgent, it shall be lawful for the head of the village in which the breach is expected to occur or has occurred, of his own motion to call upon the laborers as aforesaid of his own village and, if needful, to make a requisition to the heads of the neighbouring villages to call likewise upon the laborers of their villages to co-operate in the work necessary for preventing or repairing the breach.

II. Any male person of the laboring classes Punishment for re-fusing or neglecting to head of his village to labor as comply with such call. being duly called upon by the head of his village to labor as aforesaid, who shall refuse or neglect to comply with such call without any lawful

excuse, shall be punished with a fine which may extend to one hundred Rupees, or with simple imprisonment which may extend to one month, or with both.

III. Every person who shall be employed on such work under such requisi-tion shall be paid for his labor Rate of remunera-tion for laborers so employed, employed. by day at the highest rate paid in the neighbourhood for similar work, and if he is required to work at night at double such rate.

IV. Payment shall be made to the laborers from the public Treasury; and Mode of payment. Mode of payment. if the laborer shall have been employed upon a work belonging to a private person, the amount advanced from the Treasury shall be recover-Recovery of advances from private persons. able from such person by the same means which may be lawfully used for the recovery of arrears of Land Revenue.

V. It shall be lawful for heads of villages, on Inhabitants of vil-lages may be called upon for the supply of certain materials. the requisition of the Officer in charge of such works as aforesaid, or in his absence on the requisition of the Tehsildar, or in case of emergency, when neither such Officer nor the Tehsildar is on the spot, of their own motion, to make requisitions upon the inhabitants of their villages for the supply of materials, to wit, cocoanut trees and leaves, bamboos, straw, and the like, necessary for stopping breaches in the embankments of tanks, rivers, and canals, and to take such articles wherever they may be found, giving

receipts for them in writing; such supplies shall be paid for Supplies how to be paid for. from the public Treasury at the highest prices which can be obtained for such articles in the neighbourhood; and when the work for which they are used belongs Recovery of advances from private persons. to a private person the amount

advanced from the Treasury shall be recoverable from him by the same means by which arrears of Land Revenue are recoverable.

Liability of person bound, but refusing to contribute labor to a work of irrigation or drainage usually exe-cuted by the joint labor of a viliage com-munity.

VI. Whenever by local custom any work for Liability of person the purpose of irrigation or and, but refusing to drainage or connected therewith is usually executed by the joint labor of a village community, any person bound to contribute labor to such work, who refuses without reasonable

cause to comply with a requisition for such customary aid made to him by the head of the village under the orders of the Tehsildar or other superior Revenue Officer, shall be liable to pay any expense incurred in the execution of the work by reason of his default. The amount of such exreason of his default. The amount of such expense shall, in case of dispute, be determined summarily by a village or District punchayet assembled by order of the Collector through the Village or District Moonsiff according to the rules for assembling such punchagets prescribed in Regulations V and VII of 1816. The amount awarded by the punchayet shall be payable on demand; and on non-payment the same may be levied by distress and sale of the goods of the defaulter, or may be recovered by the same means by which arrears of Land Revenue are recoverable.

> W. MORGAN. Clerk of the Council.

potifications, Appointments, &c.

No. 2269.

Fort William, Foreign Department,

The 13th May 857.

The Governor General in Council is pleased to make the following appointments:--

Mr. E. Thornton, Commissioner of the Jhelum Division, to act as Financial Commissioner in the Punjab, during the absence on leave of Mr. D. F. McLeod.

Major C. R. Browne, Deputy Commissioner of the 1st Class in the Punjab, to officiate as Commissioner of the Jhelum Division, vice Mr. Thornton.

Major F. E. Voyle, Deputy Commissioner in the Punjab, to be a Deputy Commissioner of the 1st Class in Oudh, vice Mr. C. E. Boileau, deceased.

Captain D. Brown, Assistant Commissioner at Tharrawaddy, to act as Deputy Commissioner at Bassein, vice Major Fytche, appointed to officiate as Commissioner, Tenasserim and Martaban Provinces.

Lieutenant M. B. S. Lloyd, Officiating Magistrate at Rangoon, to act as Assistant Commissioner of Tharrawaddy, vice Captain Brown.

No. 2270.

The 15th May 1857.

Assistant Surgeon W. R. Rice assumed charge, temporarily, of the duties of Agency Surgeon at Indore, on the 2nd instant, from Assistant Surgeon J. M. Knapp.

No. 2271.

The leave of absence for two months, granted in G. O. dated 12th February last, No. 705, to Lieutenant-Colonel J. Travers, Commandant of the Bhopal Contingent, is commuted to general leave, to visit Bombay, on Medical certificate.

Lieutenant-Colonel Travers re-joined his appointment on the 16th March last.

G. F. EDMONSTONE,

Secy. to the Govt. of India.

No. 21.

Fort William, Financial Department.
The 15th May 1857.

Notification.—Notice is hereby given, that the Salaries, Pay, Batta, and Allowances of the Civil, Military and Marine Departments, for the month of May 1857, will be payable as under:—

Military and Marine Departments, on Wednesday, the 10th Proximo.

Civil Department, on Monday, the 15th Proximo.

By order of the Right Hon'ble the Governor

General of India in Council,
C. Hugh Lushington,

Secy. to the Govt. of India.

No. 83.

Fort William, Public Works Department,

PUBLIC.

The 15th May 1857.

Appointment.—The Right Hon'ble the Governor General in Council is pleased to appoint Lieutenant R. H. Sankey, of the Corps of Madras Engineers, to be an additional Under-Secretary to the Government of India in the Public Works Department.

No. 84.

Promotions.—The Right Hon'ble the Governor General in Council is pleased to make the following promotions in the Public Works Department:—

To be Executive Engineers of the 1st Class.

Lieutenant H. Hyde, of Engineers, Executive Engineer 2nd Class, Peshawur Division.

Major N. C. MacLeod, of Engineers, Executive Engineer 2nd Class, Agra Division.

To be Executive Engineer of the 2nd Class.

Lieutenant G. P. de P. Falconnet, Madras Engineers, Executive Engineer 4th Class, Mecaday.

To be Executive Engineers of the 4th Class.

Lieutenant W. E. Marshall, 48th N. I., Assistant Engineer 2nd Class, Lower Assam Division.

Lieutenant O. McC. Span, 62nd N. I., Assistant Engineer 1st Class, Deputy Superintendent, Etawah Division, Ganges Canal